

10/26/98
1572 U.S. PTO

37 C.F.R. 1.53(b)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: U-Wp-5103B Kishimoto

Client: Masaji ISHIGURO, et al

PRIOR APPLICATION: US S.N. 08/797,851

Examiner: Mark L. Berch

Art Unit: 1611

HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
Attention: Box Patent Applications

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Sir:

This is request for filing a ☒ continuation ☐ divisional application under 37 C.F.R.1.53b of pending application Serial No.: 08/797,851, filed February 10, 1997 by Masaji ISHIGURO, et al for PROCESS FOR SYNTHESIZING 4-SUBSTITUTED AZETIDINONE DERIVATIVES

1. ☒ Enclosed is a complete copy of the prior application, including the Oath or Declaration, as originally filed, with an Affidavit or Declaration verifying it as a true copy.
2. ☐ A verified statement to establish Small Entity status, under 37 C.F.R. 1.9 and 1.27 ☐ is enclosed ☐ was filed in the prior application, and such status is still proper and desired (37 C.F.R. 1.28(a)).
3. ☒ The filing fee is calculated below:
CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS ADDED AND/OR CANCELLED BY PRELIMINARY AMENDMENT
4. ☒ Cancel in this application, original Claims 2-14 of the prior application before calculating the filing fee.

CLAIMS AS FILED:

	NO. FILED	NO. EXTRA	RATE	FEE
BASIC FEE:				\$790.00
TOTAL CLAIMS	5 - 20	***	\$ 22.00	\$
INDEPENDENT CLAIMS	1 - 3	***	\$ 78.00	\$
MULTIPLE DEPENDENT CLAIM(S) PRESENT			\$250.00	\$
*** NO. EXTRA MUST BE ZERO OR LARGER	TOTAL FILING FEE:			\$790.00
If applicant has Small Entity Status Under 37 CRF 1.9 and 1.27 - Divide Fee by 2 and Enter Amount:	SMALL ENTITY TOTAL			\$

5. ☒ A check in the amount of \$ 790.00 is enclosed.
6. ☒ The Commissioner is hereby authorized to charge any additional fees and/or credit any overpayments to our Deposit Account No. 02-4743. A duplicate copy of this transmittal letter is attached.

☒ Additional matter on page 2:

7. ☒ Amend the specification by inserting before the first line of the sentence: This is a ☒ continuation/
☐ division of application Serial No.: 08/797,851,
filed February 10, 1997 for PROCESS FOR
SYNTHESIZING 4-SUBSTITUTED AZETIDINONE DERIVATIVES
by Masaji ISHIGURO, et al
(include all prior application information)
8. ☐ Formal/Informal Drawings are enclosed, as filed in the parent application:
No. of Sheets: _____, Figs.: _____.
9. ☒ Priority of application Serial No(s).: 47552-93
_____, filed: on
February 12, 1993
in Japan is claimed under 35 U.S.C. 119.
(country)
The certified copy(ies) ☒ has/have been filed ☐ has not/
have not been filed in the prior application ☐ is/are
enclosed.
10. ☒ The prior application is assigned of record to:
Suntory Limited, 1-40 Dojimahama 2-chome,
Kita-ku, Osaka-shi, Osaka 530 Japan
11. ☒ The Power of Attorney is the prior application is to:
Milton J. Wayne, Reg. No. 17,906, et al
BURGESS, RYAN AND WAYNE
370 Lexington Avenue
New York, New York 10017
A copy of the Power of Attorney, as filed, is enclosed.
12. ☒ Address all future communications to:
BURGESS, RYAN AND WAYNE
370 Lexington Avenue, Suite 2105
New York, New York 10017
(212) 683-8150
13. ☒ A Preliminary Amendment is enclosed. Claims added by this Amendment have been numbered consecutively beginning with the next number following the highest numbered claim in the prior application.
14. ☒ I hereby verify that the attached papers are a true copy of prior application Serial No.: 08/797,851, as originally filed on February 10, 1997.

The undersigned declare(s) further that all statements made herein of his or here own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application and/or any patent issuing thereon.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on October 21, 1998

BURGESS RYAN AND WAYNE

Milton J. Wayne
October 21, 1998

BURGESS, RYAN AND WAYNE

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New York, New York 10017
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ATTORNEY OF RECORD

Dated: October 21, 1998